

EXHIBIT 1

From: [Paul Farrell Jr.](#)
To: [Wikler, Jeremy \(SHB\)](#)
Cc: [Ackerman, David](#); [Oot, Patrick L. \(SHB\)](#); [Shoshtari, Adam M. \(SHB\)](#); [Peter Weinberger \(phw@spanglaw.com\)](#) ([phw@spanglaw.com](#)); [Evan Janush](#); [Singer, Linda](#); [Anthony J. Majestro](#); [xALLDEFENDANTS-MDL2804-Service@arnoldporter.com](#); [MDL 2804](#); [David R. Cohen](#); [Christopher Wilkes](#)
Subject: Re: MDL2804 / CT2 - Subpoena to IQVIA
Date: Wednesday, April 7, 2021 9:10:48 PM
Attachments: [Opiate MDL -- Responses and Objections to Plaintiffs' Rule 45 Subpoena.pdf](#)
[City of Huntington -- Responses and Objections to Plaintiffs' Rule 45 Subpoena.pdf](#)

External E-mail

Jeremy,

Thank you for the email. We have run out of time for continued discussions on this matter. A proper trial subpoena has been issued and the evidentiary deposition cross-noticed in MDL2804. In the absence of a motion to quash, we will proceed on Friday with the evidentiary deposition. If IQVIA fails to show, we will take proper action to timely enforce the subpoena.

I see no other viable option to resolve this matter prior to the May3 trial.

Please note that we have included the special masters for both the MDL and CT2 on this email string.

Paul T. Farrell, Jr., Esq.

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1311 Ponce de Leon Ave., Suite 202
San Juan, Puerto Rico 00907
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email: paul@farrellfuller.com

"Facts are stubborn things."

-John Adams
President of the United States.
Trial lawyer.

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On Apr 7, 2021, at 6:36 PM, Wikler, Jeremy (SHB) <JWIKLER@shb.com> wrote:

Hi, David.

Patrick is traveling at the moment, so I'm sending the following on his behalf.

Attached are the objections. We cannot proceed with a deposition on Friday. We asked

you for a briefing schedule last Tuesday, but you did not respond. In any event, we think it would be helpful to get on the phone to get an understanding of your position on various issues.

For instance, you all informed us that you were cross-noticing, but you sent us two different deposition notices. Which is it?

Further, we understood your initial position to be that you wanted to authenticate that certain data came from IQVIA. That's one thing. But then the issue appears to have turned into validation, which is another issue and one that is addressed within IQVIA's data specifications, which you already have.

We also would like to understand your position on the scheduling order. We understand that discovery is closed in both matters.

In short, we can't put a witness up on Friday, but we think it would be helpful to have a call to talk through the issues.

Best,
Jeremy

From: Ackerman, David <dackerman@motleyrice.com>
Sent: Wednesday, April 7, 2021 9:05 AM
To: Oot, Patrick L. (SHB) <OOT@shb.com>; paul <paul@farrellfuller.com>
Cc: Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Peter Weinberger (phw@spanglaw.com) (phw@spanglaw.com) <phw@spanglaw.com>; Evan .Janush <Evan.Janush@LanierLawFirm.com>; Singer, Linda <lsinger@motleyrice.com>; Anthony J. Majestro <amajestro@powellmajestro.com>; Wikler, Jeremy (SHB) <JWIKLER@shb.com>
Subject: RE: CT3 - Subpoena to IQVIA

EXTERNAL

Patrick,

I'm following up on this because we haven't received any objections. The deposition is scheduled for Friday. I assume based on your email below that IQVIA will not be providing a witness on that date.

If that is not the case, please let us know ASAP so that we can set up the remote deposition.

David

David Ackerman | Attorney at Law | Motley Rice LLC
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o. 202.849.4962 x5962 | c. 202.997.1217 | f. 202.386.9622

From: Oot, Patrick L. (SHB) <OOT@shb.com>
Sent: Tuesday, March 30, 2021 5:19 PM
To: Ackerman, David <dackerman@motleyrice.com>; paul <paul@farrellfuller.com>
Cc: Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Peter Weinberger <phw@spanglaw.com> (phw@spanglaw.com) <phw@spanglaw.com>; Evan .Janush <Evan.Janush@LanierLawFirm.com>; Singer, Linda <lsinger@motleyrice.com>; Anthony J. Majestro <amajestro@powellmajestro.com>; Wikler, Jeremy (SHB) <JWIKLER@shb.com>
Subject: RE: CT3 - Subpoena to IQVIA

Hi David.

I spoke with the client today and we will accept service for the subpoena.

We will provide our formal objections to both next week and we should discuss a briefing schedule on IQVIA's motion to quash.

We were hoping to work something out, but it doesn't seem like there is a meeting of the minds on what IQVIA data is and isn't.

Happy to have a call to go over all of this.

Best,

Patrick

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From: Ackerman, David <dackerman@motleyrice.com>
Sent: Tuesday, March 30, 2021 7:32 PM
To: Oot, Patrick L. (SHB) <OOT@shb.com>; paul <paul@farrellfuller.com>
Cc: Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Peter Weinberger <phw@spanglaw.com> (phw@spanglaw.com) <phw@spanglaw.com>; Evan .Janush <Evan.Janush@LanierLawFirm.com>; Singer, Linda <lsinger@motleyrice.com>; Anthony

J. Majestro <amajestro@powellmajestro.com>; Wikler, Jeremy (SHB)
<JWIKLER@shb.com>
Subject: RE: CT3 - Subpoena to IQVIA

EXTERNAL

Patrick,

Please provide an update and confirm that you will accept service of the subpoena.
Thanks.

David

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From: Oot, Patrick L. (SHB) <OOT@shb.com>
Sent: Tuesday, March 30, 2021 10:01 AM
To: Ackerman, David <dackerman@motleyrice.com>; paul <paul@farrellfuller.com>
Cc: Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Peter Weinberger
<phw@spanglaw.com> <phw@spanglaw.com> <phw@spanglaw.com>; Evan .Janush
<Evan.Janush@LanierLawFirm.com>; Singer, Linda <lsinger@motleyrice.com>; Anthony
J. Majestro <amajestro@powellmajestro.com>; Wikler, Jeremy (SHB)
<JWIKLER@shb.com>
Subject: RE: CT3 - Subpoena to IQVIA

Hi David.

I have a call with the client this morning to discuss both 30b6 subpoenas.

I will respond later towards the end of the day. I also added Jeremy Wikler in or KC office who will be helping out on this one.

Best,

Patrick

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AND/OR ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS FROM RETAINED OUTSIDE COUNSEL

From: Ackerman, David <dackerman@motleyrice.com>
Sent: Tuesday, March 30, 2021 9:50 AM
To: Oot, Patrick L. (SHB) <OOT@shb.com>; paul <paul@farrellfuller.com>
Cc: Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Peter Weinberger
(phw@spanglaw.com) (phw@spanglaw.com) <phw@spanglaw.com>; Evan .Janush
<Evan.Janush@LanierLawFirm.com>; Singer, Linda <lsinger@motleyrice.com>; Anthony
J. Majestro <amajestro@powellmajestro.com>
Subject: RE: CT3 - Subpoena to IQVIA

EXTERNAL

Patrick,

Would you please whether you will accept service of the subpoena I emailed last week in the Lake and Trumbull action? A copy is attached here as well.

David

David Ackerman | Attorney at Law | Motley Rice LLC
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From: Ackerman, David
Sent: Thursday, March 25, 2021 5:08 PM
To: Oot, Patrick L. (SHB) <OOT@shb.com>; paul <paul@farrellfuller.com>
Cc: Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Peter Weinberger
(phw@spanglaw.com) (phw@spanglaw.com) <phw@spanglaw.com>; Evan .Janush
<Evan.Janush@LanierLawFirm.com>; Singer, Linda <lsinger@motleyrice.com>; Anthony
J. Majestro <amajestro@powellmajestro.com>
Subject: CT3 - Subpoena to IQVIA

Patrick,

Attached is a subpoena to IQVIA for identical testimony in the “CT3” proceedings pending in the Northern District of Ohio. Please confirm whether you will accept service of this subpoena as well, and let me know if you have any questions.

David

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From: Oot, Patrick L. (SHB) <OOT@shb.com>
Sent: Friday, March 19, 2021 2:17 PM
To: paul <paul@farrellfuller.com>; Ackerman, David <dackerman@motleyrice.com>
Cc: Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>
Subject: RE: EXTERNAL-RE: CT2 - Subpoena to IQVIA

Hi Paul and David.

I spoke with the client. Shook will accept service of these today, subject to objections and I would expect them to move to quash.

We can discuss more, but IQVIA would support the data specification and couldn't opine or provide expert testimony on how anyone relies on the data.

Paul, you were going to send me over some points to make with the client before my call – but I did not get them.

Happy to meet and confer.

Best,

Patrick

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MAY CONTAIN CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION CONTAINING WORK PRODUCT AND/OR ATTORNEY-CLIENT PRIVILEGED COMMUNICATIONS FROM RETAINED OUTSIDE COUNSEL

From: Paul Farrell Jr. <Paul@FarrellFuller.com>
Sent: Wednesday, March 17, 2021 1:51 PM
To: Ackerman, David <dackerman@motleyrice.com>
Cc: Oot, Patrick L. (SHB) <OOT@shb.com>; Schoultz, Shannon M. (SHB) <sschoultz@shb.com>; Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Feizbakhsh, Donya (SHB) <dfeizbakhsh@shb.com>; Kearse, Anne <aearse@motleyrice.com>; Mike Fuller <Mike@FarrellFuller.com>; Anthony J. Majestro <amajestro@powellmajestro.com>; Anthony Irpino <airpino@irpinolaw.com>; Evan Janush <Evan.Janush@lanierlawfirm.com>;

Christenson, Moniq   <mchristenson@motleyrice.com>

Subject: Re: EXTERNAL-RE: CT2 - Subpoena to IQVIA

EXTERNAL

Patrick, jumping into the fray, this deposition is necessary because the defendants will not stipulate to the foundation and reliability of the IQVIA data. We tried and failed. We filed a motion and failed. The judge says we need to lay a proper foundation in the absence of a stipulation.

I encourage you to reach out to defense counsel and see if you are more persuasive.

Otherwise, we need to proceed forward with a sponsoring witness. We hope the issuance of a subpoena will further advance resolution of this evidentiary issue. If not, we will preserve the testimony for future use.

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Farrell & Fuller, LLC

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email: paul@farrellfuller.com

"Facts are stubborn things."

-John Adams

President of the United States.

Trial lawyer.

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On Mar 17, 2021, at 1:30 PM, Ackerman, David

<dackerman@motleyrice.com> wrote:

Patrick,

I understand that IQVIA does not want to testify, but, as we discussed, we are skeptical that "a less burdensome approach" would be acceptable in this case.

If you would like to propose alternative approaches we can discuss them,

but I'd need to confirm service of the subpoena first. I also note that a deposition upon written questions would require live testimony so it's not clear why that method imposes less of a burden.

David

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From: Oot, Patrick L. (SHB) <OOT@shb.com>
Sent: Wednesday, March 17, 2021 1:25 PM
To: Ackerman, David <dackerman@motleyrice.com>
Cc: Schoultz, Shannon M. (SHB) <sschoultz@shb.com>; Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Feizbakhsh, Donya (SHB) <dfeizbakhsh@shb.com>; Kearse, Anne <akearse@motleyrice.com>; paul <paul@farrellfuller.com>; Fuller, Mike <mike@farrellfuller.com>; Anthony J. Majestro <amajestro@powellmajestro.com>; Anthony Irpino <airpino@irpinolaw.com>; Evan Janush <Evan.Janush@LanierLawFirm.com>; Christenson, Monique <mchristenson@motleyrice.com>
Subject: EXTERNAL-RE: CT2 - Subpoena to IQVIA

Hi David.

I am checking with the client as there is some confusion here based on our last call.

When we spoke, we discussed a less burdensome approach (deposition by written questions or some other way).

This notice is a new direction.

Is it now your position that plaintiffs are demanding a formal deposition on authenticity?

IQVIA intends to cooperate on these requests, but burdening a company employee to testify that Allergan purchased a data set is a hard sell that you should appreciate.

Please let me know.

Best,

Patrick

Patrick Oot

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MAY CONTAIN CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION CONTAINING
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From: Ackerman, David <dackerman@motleyrice.com>
Sent: Wednesday, March 17, 2021 1:06 PM
To: Oot, Patrick L. (SHB) <OOT@shb.com>
Cc: Schoultz, Shannon M. (SHB) <sschoultz@shb.com>; Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Feizbakhsh, Donya (SHB) <dfeizbakhsh@shb.com>; Kearse, Anne <akearse@motleyrice.com>; paul <paul@farrellfuller.com>; Fuller, Mike <mike@farrellfuller.com>; Anthony J. Majestro <amajestro@powellmajestro.com>; Anthony Irpino <airpino@irpinolaw.com>; Evan Janush <Evan.Janush@LanierLawFirm.com>; Christenson, Monique <mchristenson@motleyrice.com>
Subject: RE: CT2 - Subpoena to IQVIA

EXTERNAL

Patrick,

Would you please confirm whether you are authorized to accept service
of this subpoena?

David

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From: Ackerman, David
Sent: Tuesday, March 16, 2021 1:20 PM
To: Oot, Patrick L. (SHB) <OOT@shb.com>
Cc: Schoultz, Shannon M. (SHB) <sschoultz@shb.com>; Shoshtari, Adam M. (SHB) <ASHOSHTARI@shb.com>; Feizbakhsh, Donya (SHB) <dfeizbakhsh@shb.com>; Kearse, Anne <akearse@motleyrice.com>;

paul@farrellfuller.com; Mike Fuller <Mike@FarrellFuller.com>; Anthony J. Majestro <amajestro@powellmajestro.com>; Anthony Irpino <airpino@irpinolaw.com>; Evan Janush <Evan.Janush@LanierLawFirm.com>; Christenson, Monique <mchristenson@motleyrice.com>

Subject: CT2 - Subpoena to IQVIA

Patrick,

I hope you are doing well. I have attached a subpoena to IQVIA as we discussed a little over a week ago.

Will you please confirm that you are authorized to accept service of the subpoena? Thanks.

David

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